

Weekly Activity Report for the Week of May 5-9, 2014

Region 6 Superfund Division

ADEQ FIVE-YEAR REVIEW CA: The Commitment Notice and Funding Recommendation are being routed through the award process. ADEQ will work on the Five-Year Reviews for the Jacksonville and Rogers Road Superfund Sites during the latter part of FY 2014. The total award given is \$70,339 - \$35,169 to Jacksonville and \$35,170 to Rogers Road. **(Talton, x7205)**

TCEQ PA/SI COOPERATIVE AGREEMENT (CA): The No-Cost Time Extension for the CA is in the 5-day Congressional hold status before it is mailed to TCEQ starting 4/30/2014. The CA will be extended for 1 year, giving it a project and budget period ending date of 8/31/2015. **(Talton, x7205)**

RACsII CONTRACT-CH2M HILL INC.: Continued process of de-obligation of RACII CH2M Hill funding from Contract EP-W-06-021 Closed Task Orders as part of the Unliquidated Obligation ULO process. We also completed the review and approval process in EASY of 17 RACII Task Order Invoices for the contract period of March 2014. These 17 invoices represent a total of 5,229 hours of labor and a total of \$ 1,146,969.55. **(Talton, x7205)**

NEW FOIA GUIDANCE: 6R6-D provided guidance that we no longer need to send to concurrence partial/complete referral to FOIA online for records that are already in FOIA Online. This means if we have already release records in FOIA Online, then we just refer the requestor for those records, and continue to process any records that are not in FOIA Online. **(Talton, x7205)**

PRIMAVERA FOCUS GROUP CALL: The Primavera Focus Group focuses on Change Management issues and the Work Breakdown Structure (WBS) in Oracle Primavera. The group discussed modifications and additions to the Removal and Remedial Master WBS in Oracle Primavera. The Removal Master WBS will be incorporated into the Master WBS. The next WBS scheduled to be worked on is the Site Assessment WBS. **(Talton, x7205)**

CIRCLE COURT: Door to door visits to Willow Park and Hudson Oaks residents began on May 1, 2014 to obtain Access Agreements for ground water sampling from private wells. To date, 54 homes have been visited, which included a few new homes in the area. A letter of explanation, an access agreement for signature and return envelope were left with residents. **(Talton, x7205)**

SAN JACINTO WASTE PITS ELECTED OFFICIALS BRIEFING: On April 30, with protesters from Texans Together outside, Superfund R6 met at the Harris County Pollution Control Services Offices with a number of County, State and local officials to update the status and related issues for the SJRWP site. Among these were the Harris County Attorney, Co. Judge's office, and U.S. Congressman Steve Stockman's staff, and State representatives. RPM G. Miller presented all aspects of the RI/FS,

alternatives for later cleanup, and a very active schedule though this year for the Proposed Plan. The Remedy Review Board which is to hear the site in June, process was also explained. Concerned was expressed by the participants about the role of the PRPs in development of alternatives, the upcoming court hearing on the site, sampling data, site source stabilization, and what's next for the project. At the conclusion, appreciation was expressed for the briefing and support for the program's effort at the site. **(Talton, x7205)**

U.S. OIL RECOVERY, PASADENA, TX: On April 30, 2014, outside counsel and a consultant for the City of Pasadena met with the SF Site team, and discussed why the City should not be considered a PRP for this Site. Robert Houston, from the Enforcement Division, Waste Water Treatment Group attended the meeting also. The city requested information regarding their possible status as having an inability to pay, as well as doing some type of in-kind services related to the Site in exchange for contribution protection and a covenant not to sue. No final decisions have been made as to Pasadena's PRP status. **(Banipal, x7324)**

SF COST RECOVERY IMPROVEMENT PROCESS: The Kick-Off meeting with the regional representative was held on April 22, 2014 for the LEAN Project for the Superfund Cost Recovery Process. Representatives from all 10 regions participated on the call. The Lean facilitator was also on the call. The purpose of the meeting was to introduce the new regional representatives, review the revised project charter which more clearly defines the scope of phase 1, and to discuss any baseline data needed. The Lean event is scheduled for the week of May 12, 2014 at the Region 7 office. **(Banipal, x7324)**

THE BLACKWELL ZINC SITE, BLACKWELL, OK - CONSENT DECREE TERMS SETTLING EPA'S CERCLA CLAIMS: Counsel for Blackwell Zinc Company and counsel for EPA and the U.S. Department of Justice (DOJ), have agreed on the terms of a consent decree that will settle EPA's CERCLA cost recovery claims associated with the Blackwell Zinc Superfund Site (the "Site"). Under the consent decree, the settling defendants will pay EPA \$547,931.39 for past response costs including interest. In addition, the settling defendants will pay all of EPA's future oversight costs up to September 21, 2024. At that date the payment provisions of the consent decree end. **(Banipal, x7324)**

PALMER BARGE LINE – SETTLEMENT AGREEMENT: Region 6 Superfund had a conference call with DOJ Counsel Hanson. DOJ informed Region 6 that the PRP group verbally agreed to the entire \$2.3 million for past cost plus \$500,000 for future cost for five year plan reviews. DOJ also indicated that the PRP group had not yet settled with the State of Texas for its past cost, which is \$143,000. DOJ anticipates that the PRP group will enter into an agreement with the State of Texas too. **(Banipal, x7324)**

SOUTHWEST VERMICULITE, ALBUQUERQUE, NM: The completion of this removal action is planned for this week. Removal work on the reconstruction of the onsite

warehouse was completed last week and a site inspection conducted May 9th.
(Crossland, x3167)

TORNADO DAMAGE RESPONSE, MAYFLOWER, AR: The County Judge for Faulkner County Arkansas requested EPA assistance via an Action Request Form (ARF) signed and submitted May 6th to the Arkansas Department of Emergency Management, for the removal of household hazardous waste, electronic goods, and white goods (e.g., refrigerators & air conditioner with Freon) from homes damaged by the tornado of April 27th. It is anticipated that EPA will receive an Essential Support Function #10 - Mission Assignment from FEMA as early as Friday, May 9th.
(Crossland, x2721)

DELEK LOGISTICS (DELEK) PIPELINE SPILL, HAYNESVILLE, LA: Staff responded to a 400 barrel oil spill that entered a small creek near Haynesville, Louisiana. The responsible party, Delek, owns the pipeline that ruptured, due likely to corrosion. The spill flowed down the creek for approximately ¾ of a mile before Delek was able to get to the spill scene and construct a dam to stop any further movement downstream. Delek hired oil spill response contractors to conduct the cleanup. EPA, along with officials from the State of Louisiana (LOSCO, LDWF, LDEQ) provided oversight of all response activities. The response involved flushing operations, manual removal of oil and oiled debris with booms, absorbent pads, and absorbents (i.e., Gator Sorb). Four underflow dams were built and oil has been vacuumed up behind each of them. To date, approximately 150 barrels of oil have been recovered. Cleanup activities will continue into next week. (Crossland, x2721)

EXPLO SYSTEMS, INC., MINDEN, LA: Because of a series of errors in the first hours of startup GD/ATK stopped work and added personnel to Camp Minden to revise work plans, retrain personnel, re-organize, and prepare to restart handling and securing of nitrocellulose drums from the magazine/bunkers last week. Plans were re-submitted to EPA and approved. OSC's continue to work with the PRP, PRP Contractor, LSP, and LMD to safely secure hazardous/explosive drums at the site. In addition, Austin Powders notified EPA of off-site shipment of M6 propellant (product, normal business operations). EPA held conference calls with ODEQ (OK receiving state) regarding the shipment and the Oklahoma Bureau of Mines was contacted regarding the transfer. Approximately 35,000 lbs of material will be utilized by an Oklahoma company (Brakefield Equipment Company) weekly in their business operations. It should be noted Brakefield has received this material from Explo previously and has a permit to operate. (Crossland, x3167)

THIS WEEK

DOUBLE EAGLE SUPERFUND SITE - SOLD: Staff from the Region 6 Superfund Division and Regional Counsel have worked expeditiously with a prospective purchaser to provide information and assistance to support the purchase of the Double Eagle Superfund Site in Oklahoma City, OK. The Site extends over 12 acres and is located near Bricktown and other urban renewal areas in Oklahoma City. It was listed on the

National Priorities List (NPL) in March 1989, and following the remedy implementation the Site was deleted on August 21, 2008. At the request of the prospective purchaser, EPA Region 6 provided a site status letter in January 2014, which affirms the appropriateness of the intended reuse of the site to operate a scrap metal recycling facility. Additionally, Region 6 filed a request to the County to release the Federal Superfund lien, which was filed in 2001, and had long exceeded the statute of limitations. This allowed the purchaser to obtain title to the property with no encumbrance. The EPA Region 6 Superfund Reuse Initiative (SRI) promotes and facilitates the beneficial reuse of Superfund sites in Region 6. **(Meyer, x6742)**

2014 NPL APRIL RULE: CICs will notify local officials of the status of new NPL Listings/ Delta Shipyards (proposed) in Houma, Louisiana and MacMillan Ring Free Oil (final) in Norphlet, Arkansas beginning on May 8. Letters and HQ Fact Sheet to local officials will be mailed on May 12. **(Talton, x7205)**

WILCOX OIL: Received the CIP back from Oklahoma Department of Environmental Quality with some additions and comments. Edits are expected to be completed this week and will post the SEMS. **(Talton, x7205)**

TCEQ TRADE FAIR: EPA and TCEQ will present at the TCEQ Environmental Trade Fair on the benefits of the Targeted Brownfields Assessment Program on May 6, 2014. **(Talton, x7205)**

AUSTIN RUNDGREN NEIGHBORHOOD MEETING: EPA will co-present with the City of Austin at Rundgren Neighborhood meeting on May 8, 2014. **(Talton, x7205)**

NPL UPDATE – TWO SITES ARE IN REGION 6: The EPA will be announcing the proposal of five new sites to the Superfund National Priorities List (NPL) under Proposed Rule #60 and adding seven sites to the NPL under Final Rule #60. Two of these sites are in Region 6, Delta Shipyard, Houma Louisiana, will be proposed and MacMillan Ring-Free Oil, Norphlet, Arkansas will be added to the NPL. Federal Register publication is projected for May 12 with the EPA HQ's Press Release and Web Update available on May 8, 2014. **(Banipal, x7324)**

COLONIAL CRESOTE RESAMPLING DUE TO A4 LABORATORY: The Region 6 Site assessment team will be conducting sampling at Colonial Creosote, Bogalusa, LA during the week of May 12, 2014. Colonial Creosote is currently being evaluated for NPL consideration. The data that supports the HRS score was analyzed by A4 Scientific Laboratory which is currently under investigation by the OIG. Colonial Creosote resampling will cost approximately \$41,000. The timing of site proposal is dependent upon completion of new sampling and lab analysis. **(Banipal, x7324)**

JACK-PAQUATE URANIUM MINE, PUEBLO of LAGUNA, NM: The Jackpile Mine Site team has identified a PRP for the Site, Atlantic Richfield Company (ARCO). ARCO, successor to Anaconda Mining Company, was the sole operator of the mine from 1953

to 1982. A Special Notice Letter (SNL) along with a draft Administrative Order on Consent and draft Statement of Work will be sent to the PRP to begin RI/FS Negotiations. The SNL package is currently in concurrence for review and signature and is anticipated to be sent to ARCO the week of May 12th. **(Banipal, x7324)**

MALONE SERVICES – SWAN LAKE: Superfund Enforcement issued 104(e) Information Requests to six private companies and the Galveston ISD, requesting financial information to conduct ability-to-pay settlements. The recipients previously received de minimis settlement offers based on the small volume of hazardous waste they arranged for disposal at the Site. The seven parties claimed an inability-to-pay in response to the settlement offers. The information request asks for five years of financial information, including tax returns, audited financial statements, or district budgets. A certified public accountant under the Enforcement Support Services contractor will use standard EPA financial models to recommend whether or not the PRPs qualify for a reduced settlement amount. A copy of the letter to Galveston ISD was provided to R6 External Affairs. **(Banipal, x-7324)**

LOCAL EMERGENCY PLANNING COMMITTEE'S (LEPC) WORKSHOPS, REGION 6 STATES: Staff will begin conducting the first of 32 Region 6 LEPC workshops the week of May 19th. Workshops will focus on requirements of EPCRA for industry & LEPC's, Local Government Reimbursement program for local emergency response, Tier II Submit & CAMEO suite of software for preparedness/planning, Emergency Plan requirements/spirit of EPCRA, how to keep an LEPC active/re-activating a dormant LEPC, and discussion of state issues. **(Crossland, x2721)**

ISSUES / FUTURE EVENTS

REGIONAL RESPONSE TEAM 6 (RRT6) BIENNIAL MEETING, ADDISON, TX: Staff will conduct the RRT6 Biennial Meeting at the Addison Training Facility from May 12th–14th. The RRT6 Executive Committee will meet on the afternoon of May 12th and the full RRT6 meeting will be on May 13th –14th. Selected agenda items will include review of 2014 RRT6 priorities, State reports, Texas City 'Y' Spill response, Tar Sands / Bakken Crude presentations, U.S. Coast Guard Captain of the Port reports, and EPA OSC reports. **(Crossland, x2721)**

INCIDENT COMMAND SYSTEM (ICS) TRAINING, DALLAS, TX: Staff will conduct ICS 300 training on May 20th – 22nd. ICS 400 will be conducted on June 18th – 19th. **(Crossland, x2721)**